

PROB 12C
(7/93)

United States District Court
for
District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Michaelpaul J. Farrell

Docket Number: 07-00488-001

Name of Sentencing Judicial Officer: Honorable Marvin Katz, Sr. U.S.D.J., Eastern District of Pennsylvania

Date of Original Sentence: 1/19/06

Date of Transfer of Jurisdiction: 6/5/07

Name of Assigned Judicial Officer: Honorable Susan D. Wigenton, U.S.D.J., District of New Jersey

Original Offense: Counts One and Two-Exchanging Stolen U.S. Savings Bonds 18 U.S.C. § 510(b); Counts Three and Four-False Statement to a Government Agency 18 U.S.C. § 1001

Original Sentence: 15 months imprisonment (all counts to run concurrent); 3 years supervised release; \$86,140.00 restitution; \$400.00 assessment.

Date of Sentence Modification: 1/14/08

Sentence Modification: Mental health treatment; financial disclosure.

Type of Supervision: Supervised Release

Date Supervision Commenced: 3/2/07

Assistant U.S. Attorney: To be assigned. United States Attorney's Office, 970 Broad Street, Suite 700, Newark, New Jersey 07102 Phone: (973) 645-2700

Defense Attorney: To be assigned. Office of the Federal Public Defender, 972 Broad Street, Newark, New Jersey 07102 Phone: (973) 645-6347

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
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| | The offender has violated the supervision condition which states ' You shall not commit another federal, state, or local crime. ' |
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| | On November 30, 2007, the offender took a credit card owned by Denise Porambo, created a pin number, and withdrew cash totaling \$544.50. On March 27, 2008, in Washington Township Municipal Court, the offender was found |
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guilty of Theft By Deception in violation of N.J.S.A. 2C:20-4C. He was ordered to pay \$414 in various fines.

- 2 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On January 22, 2008, the offender wrote a check in the amount of \$55.96 for goods provided on an account that was closed. On March 12, 2008, in Madison Municipal Court, the offender was found guilty of Bad Checks in violation of N.J.S.A. 2C:21-5C(4). He was ordered to pay \$50 in fines.

- 3 The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

The offender did not inform his probation officer of his arrest and/or conviction in Madison, New Jersey.

- 4 The offender has violated the supervision condition which states '**As a condition of supervision, you are instructed to pay restitution in the amount of \$86,140.00 to Elaine Farrell.**'

The offender's current restitution balance is \$86,065 and he has not made a payment since January 17, 2007.

- 5 The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

The offender failed to report as directed on April 2, 2008 and April 28, 2008.

The offender did not submit a monthly report in April 2008.

- 6 The offender has violated the supervision condition which states '**You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.**'

The offender told the probation officer that he was enrolled in Centenary College as a full time student during the fall semester of 2007. The offender told the probation officer that he was enrolled in the Equine Studies program and attended classes three days a week for 6 hours per day. It was verified by school officials that the offender was not enrolled in this program or the college.

- 7 The offender has violated the supervision condition which states '**You shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons.**'

The offender has been unemployed since November 2007. The offender was required to attend classes with the New Jersey Workforce Development Program, however, failed to do so.

- 8 The offender has violated the supervision condition which states '**You shall participate in a mental health program for evaluation and/or treatment as**

directed by the U.S. Probation Office. The defendant shall remain in treatment until satisfactorily discharged and with the approval of the U.S. Probation Office.'

The offender has failed to comply with his mental health treatment at St. Clare's Behavioral Health Center. The offender stopped treatment of his own accord in April 2008.

I declare under penalty of perjury that the foregoing is true and correct.

Dana Hafner
By: Dana Hafner

U.S. Probation Officer

Date: 6/2/08

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other

[Signature]

Signature of Judicial Officer

June 4, 2008

Date